

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|   |   |                           |
|---|---|---------------------------|
| In re Application of                              | : | Customer Number: 20277    |
|   | : |                           |
| James H. McLAUGHLIN                               | : | Confirmation Number: 1702 |
|   | : |                           |
| Application No.: 09/964,143                       | : | Group Art Unit: 1617      |
|   | : |                           |
| Filed: September 25, 2001                         | : | Examiner: Wang, Shengjun  |
|   | : |                           |
| For: EMOLLIENT SKIN CONDITIONING CREAM AND METHOD |   |                           |

**SUPPLEMENTAL DECLARATION BY LAUREN TRAHAN**  
**UNDER 37 C.F.R. § 1.132**

I, LAUREN TRAHAN, declare and say as follows:

1. This declaration supplements my previous declaration dated December 28, 2007.
2. I have access to business records of Crabtree & Evelyn sales records showing sales of hand recovery products from calendar years 2004 to 2007. The hand recovery products sold incorporate the following ingredients, which are within the scope of the claimed subject matter of the above-referenced patent application:

| <b>Ingredient</b>                  | <b>Weight Percent</b> |
|------------------------------------|-----------------------|
| Macadamia Ternifolia Seed Oil      | 35.06%                |
| Stearic Acid                       | 0.552%                |
| Butyrospermum Parkii (Shea Butter) | 0.72%                 |
| Caprylic/Capric Triglyceride       | 0.48%                 |
| Isopropyl Myristate                | 0.96%                 |
| Dow Corning ® 345 Fluid            | 0.36%                 |
| Cetyl Alcohol                      | 0.24%                 |
| Emulsifying Wax N.F.               | 0.96%                 |
| Sucrose Distearate                 | 0.24%                 |
| Incroquat Behenyl TMS              | 0.48%                 |
| Tauranol WSP                       | 0.95%                 |

| <b>Ingredient</b>        | <b>Weight Percent</b> |
|--------------------------|-----------------------|
| Potassium Stearate       | 0.125%                |
| USP Colloidal Oatmeal    | 0.99%                 |
| Calcium Stearate         | 18.80%                |
| Maltodextrin             | 12.20%                |
| Deionized Water          | 0.80%                 |
| Phenonip                 | 1.00%                 |
| Bladderwrack Extract     | 0.033%                |
| Algae Extract            | 0.033%                |
| Pacific Sea Kelp Extract | 0.033%                |
| Fragrance                | 1.50%                 |
| Sodium Chloride          | 23.49%                |

3. The hand recovery products were sold in tubes containing 25 g, 50g and 100 g of product. The hand recovery product was also sold as part a kit containing other Crabtree & Evelyn products.

4. The total sales for the recovery product for calendar years 2004-2007 is set forth in the Table below:

| <b>Year</b> | <b>Total Hand Recovery Units Sold</b> | <b>Total Sales of Hand Recovery Units</b> | <b>% of Total C &amp; E Sales</b> |
|-------------|---------------------------------------|---|-----------------------------------|
| 2004        | 110,195                               | \$1,578,110                               | 2.4                               |
| 2005        | 95,599                                | \$1,284,809                               | 2.0                               |
| 2006        | 95,047                                | \$1,378,341                               | 2.1                               |
| 2007        | 88,257                                | \$1,355,027                               | 2.1                               |

8. As evidenced by the sales data, the product has been commercially successful for Crabtree & Evelyn. Over 380,000 tubes were sold, generating over \$ 5,500,000 in sales over four years.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 10/30/2008

  
Lauren Trahan